

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
September 20, 2017**

Name	Title	Present	Absent
Ashby, D.	Commissioner		
Bouyoukas, E	Commissioner		
Evans, K.	Commissioner		
Gavgani, M. Z.	Commissioner/President		
Hardesty, J.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner/Treasurer		
Oliver, B	Commissioner		
Peters, R.	Commissioner		
St. Cyr, II, Z. W.	Commissioner/Secretary		
Toney, R.	Commissioner		
Yankellow, E.	Commissioner		
Bethman, L.	Board Counsel		
Felter, B.	Staff Attorney		
Speights-Napata, D.	Executive Director		
Fields, E.	Deputy Director /Operations		
Evans, T.	Pharmacist Inspector		
Brand, E.	Licensing Manager		
Logan, B.	Legislation/Regulations Manager		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
I. Executive Committee Report(s)	A.) M. Gavgani, Board President <		

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		<table><tr><td>Pharmacy</td><td>20</td><td>0</td><td>0</td><td>2,127</td></tr><tr><td>Pharmacist</td><td>148</td><td>454</td><td>0</td><td>11,557</td></tr><tr><td>Vaccination</td><td>85</td><td>4</td><td>0</td><td>4,485</td></tr><tr><td>Pharmacy Intern - Graduates</td><td>3</td><td>0</td><td>0</td><td>48</td></tr><tr><td>Pharmacy Intern - Students</td><td>26</td><td>25</td><td>0</td><td>887</td></tr><tr><td>Pharmacy Technician</td><td>155</td><td>376</td><td>3</td><td>9,854</td></tr><tr><td>TOTAL</td><td>447</td><td>901</td><td>3</td><td>30,137</td></tr></table>	Pharmacy	20	0	0	2,127	Pharmacist	148	454	0	11,557	Vaccination	85	4	0	4,485	Pharmacy Intern - Graduates	3	0	0	48	Pharmacy Intern - Students	26	25	0	887	Pharmacy Technician	155	376	3	9,854	TOTAL	447	901	3	30,137	
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D. Compliance	T. Evans, Pharmacist Inspector	<div>1. Unit Updates</div> <div>2. Monthly Statistics</div> <div>Complaints & Investigations:</div> <div>New Complaints - 55</div> <div>Resolved (Including Carryover) – 41</div> <div>Actions within Goal – 36/41</div> <div>Final disciplinary actions taken – 7</div> <div>Summary Actions Taken – 0</div> <div>Average days to complete - 141</div> <div>Inspections:</div> <div>Total - 170</div> <div>Annual Inspections - 164</div>																																				

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		Opening Inspections - 3 Closing Inspections - 3 Relocation/Change of Ownership Inspections - 1 Board Special Investigation Inspections – 1	
E. Legislation & Regulations	B. Logan, Legislation and Regulations Manager	<u>1. COMAR 10.34.37 Pharmacy Permit Holder Requirements – Wholesale Distribution and Non-Resident Pharmacy Operations</u> <u>2. COMAR 10.34.34.05 Pharmacy Students</u> <u>3. COMAR 10.34.05.05 Security Responsibilities</u> <u>4. COMAR 10.34.32.03 D Requirements to Administer Vaccinations</u> <u>5. COMAR 10.34.40 Pharmacist Prescribing and Dispensing Contraceptives</u>	
III. Committee Reports A. Practice Committee	R. Peters, Chair	<u>6. Meghan Davlin Swarthout, JHMI</u> Proposed Response: Please be advised, pursuant to COMAR 10.34.29.03 A (1), a hospital may develop its own policies and procedures to address who may sign on behalf of authorized prescribers. Therefore, the medical director of each clinic of your facility may sign the prescriber-pharmacist agreement as long as the physician is under the direct authority of the medical director. <u>7. Sen. Mathias -- red dye on pills</u>	

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B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a) License#22204- The pharmacist's license expired on July 31. He states that he had issues with his online user ID and password. He would like to renew his application without being required to pay the reinstatement fee. He also states that his CE hours are up-to-date. <u>Licensing Committee's Recommendation:</u> Deny</p> <p>b) Applicant#113897- The applicant answered "yes" to the following attestation question:</p> <p>#4. Have you ever withdrawn your application for a pharmacist's license or other health professional license?</p> <p>The applicant submitted an initial application for pharmacist licensure in Maryland in May 2016. Due to personal reasons, the applicant did not take NAPLEX and MPJE exams as required for completion of the application process. The application expired in May 2017. <u>Licensing Committee's Recommendation:</u> Approve</p> <p>c) Applicant# 112854- Applicant, who is licensed in PA and NJ, passed the NAPLEX exam in June 2016. She states that she called MDBOP and spoke to a licensing specialist who told her that as long as the NAPLEX score was valid when she submitted the initial application, in May 2017, she would not need to retake the NAPLEX exam even if the applicant finished the licensing requirements more than one year after passing the NAPLEX exam. The applicant applied in May 2017, within one year of her NAPLEX exam. The NAPLEX score expired in June 2017, and</p>	

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		<p>she passed the MPJE in July 2017. She requests that the Board accept her NAPLEX score. <u>Licensing Committee's Recommendation:</u> Approve</p> <p>d) Application# 109028- The applicant is requesting an extension for taking the NAPLEX exam. He has undergone a series of life-changing events, which have negatively affected his cognitive abilities to test for this exam. Currently, he has been diagnosed with relapsing multiple sclerosis, which has been the source of numerous hospital admissions since February of this year. The most recent hospitalization occurred on August 8, 2017. In addition to all of this, he has had recent divorce proceedings that have exacerbated his condition. The increasing stress, worsened his pain and fatigue, which has made his ability to concentrate more difficult. His application expired on August 4, 2017. He took the NAPLEX exam on July 26, 2016, and failed with a score of 68. Accordingly, he requests an extension for retaking the NAPLEX exam and his application.</p> <p><u>Licensing Committee's Recommendation:</u> Approve a 90-day extension for his NAPLEX score and application expiration date.</p> <p>2. Review of Pharmacy Intern Applications:</p> <p>a) PI00588- Applicant is a foreign graduate who requests an extension of her Pharmacy Intern license, which will expire October 31, 2017</p> <p>Explanation: She has approximately 800 intern hours. She gave birth prematurely and the baby has a rare medical condition that requires her to be a full-time caregiver. She requests a one-year extension of her intern license to fulfill the intern hours requirement.</p>	

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		<p><u>Licensing Committee's Recommendation:</u> Approve</p> <p>3. Review of Pharmacy Technician Applications:</p> <p>a) T13583- Online renewal: Answered “no” to the following question:</p> <p>Have you completed the required CE?</p> <p>Response: Applicant is requesting a refund for her application fee. She is working in a position that does not require a license. She also did not complete the CEs required for renewal.</p> <p><u>Licensing Committee's Recommendation:</u> Deny</p> <p>Dan Ashby Recused</p> <p>4. Review of Distributor Applications: NONE</p> <p>5. Review of Pharmacy Applications: NONE</p> <p>6. Review of Pharmacy Technicians Training Programs: NONE</p> <p>7. New Business:</p> <p>a) #25136- The applicant is requesting a full or partial refund of his \$300 application fee. He claims that someone at the call center told him in 2016 that active duty personnel were entitled to a waiver or a discount.</p> <p><u>Licensing Committee's Recommendation:</u> Deny</p> <p>b) #109930- The applicant would like to have her application expiration date extended so that she can retake the NAPLEX exam. Her application</p>	

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		<p>expires on September 27, 2017. Her mother's illness has prevented her from studying.</p> <p><u>Licensing Committee's Recommendation:</u> This was not submitted to the Committee. It came to the Board on September 8, 2017.</p>	
C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update:	
D. Disciplinary	K. Morgan, Chair	Disciplinary Committee Update	
E. Emergency Preparedness Task Force		Emergency Preparedness Task Force Update	
IV. Other Business & FYI	M. Gavgani, President		
V. Adjournment	M. Gavgani, President	<p>A. The Public Meeting was adjourned.</p> <p>B. M. Gavgani convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, M. Gavgani convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p>	

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		<p>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</p>	